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PATENT
Attorney Docket No. 0320-0020 (HOOV 120)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
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 Michael D. Hooven)
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 Serial No.: 10/015,476)
)
 Filed: December 13, 2001)
)
 Group Art No.: 3739)
)
 Examiner: Rosiland S. Kearney)
)
 For: SUB-XYPHOID METHOD FOR)
 ABLATING CARDIAC TISSUE)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the documents is provided in U.S. Patent Application Serial No. 10/032,378, which is relied upon for an earlier effective filing date of the present application under 35 U.S.C. 120, and accordingly is not enclosed.

No inference should be drawn that any method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Fifth Supplemental Information Disclosure Statement is being filed either before the mailing of the first office action or after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. The cited information was first called to Applicant's attention either in an Office Action dated November 3, 2003 for a related application or in the results of a search of United States patents received not before October 27, 2003. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained

in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this information disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under §1.17(p) is not required for the filing of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: December 10, 2003

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